

DETAILED ACTION

Response to Arguments

1. Applicant's arguments, see remarks filed January 31, 2008 with respect to the rejection of Claims 15 - 20 have been fully considered and are persuasive. The rejection of Claims 15 – 20 under 35 U.S.C. 112 2nd Paragraph has been withdrawn.

EXAMINER'S AMENDMENT

2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Attorney Kenneth Springer (Reg. No. 39,843) on April 7, 2008.

Please remove the word “is” from line 3 on Page 5 of the Claims, which is a continuation of Claim 15.

Allowable Subject Matter

3. The following is an examiner's statement of reasons for allowance:
The prior art of record fails to specifically teach or show the following:
means for automatically and periodically updating the start time to be greater than said current time, wherein said auxiliary power source does not

supply power to said updating means when said main power source is incapable of supplying said power;

updating a start time to come after a current time when the communication device is in operation by an updating means, wherein said auxiliary power source does not supply power to said updating means when said main power source is incapable of supplying said power, and when the main power source is incapable of supplying said power, making a new start when a current time established by said clock coincides with a previously updated start time;

supplying power from a main power source to both a first part and a second part of a processing section for the device, and when the device is stopped by accident, supplying power to the second part from an auxiliary power source, and not supplying power to the first part, and automatically making a new start when a current time established by a clock coincides with the previously updated start time.

a memory for storing an augmented time which is greater than a current time and is updated periodically using a first clock; a controller powered by said auxiliary power source, said controller being configured to set a start time when said main power source is incapable of providing said power, wherein said auxiliary power source does not supply power to said first clock when said main power source is incapable of supplying said power.

Claim 1, including all claims that depend directly or indirectly from Claim 1, Claim 6, including all claims that depend directly or indirectly from Claim 6, Claim 15, including

all claims that depend directly or indirectly from Claim 15, and Claim 21, including all claims that depend directly or indirectly from Claim 21 are therefore allowable.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to RAYMOND S. DEAN whose telephone number is (571)272-7877. The examiner can normally be reached on Monday-Friday 6:00-2:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward F. Urban can be reached on 571-272-7899. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Raymond S Dean/
Primary Examiner, Art Unit 2618

Raymond S. Dean
April 7, 2008

/Edward Urban/
Supervisory Patent Examiner, Art Unit 2618